

REMARKS

This is in response to the Office Action dated October 28, 2008. With this response, claims 1 and 13 are amended; claims 6 and 12 are cancelled; and all pending claims 1-5 and 7-12 are presented for reconsideration and favorable action.

In the Office Action, claims 1 and 13 were objected to due to their language. That language has been amended and it is believed that that objection may be withdrawn.

A rejection under 35 U.S.C. § 112 against claim 12 was put forth. Claim 12 been cancelled and the rejection may be withdrawn.

Claims 1-6 and 11-13 were rejected under 35 U.S.C. § 103 based upon Kachur et al. (US 3924741). However, it is believed that the pending claims are patentably distinct from this reference.

Independent claim 1 states that the removable member is threadably coupled to the fixing member. This is not shown by the Kachur et al. reference in which the “removable member” is press fit with the “fixing member”. For this reason, the rejection should be withdrawn.

Additionally, independent claim 1 has been amended to state that a stirring projection pin is formed on the seal member and is configured to stir the secondary material when the removable member is removed from the fixing member. The Office Action finds this element through “Official Notice”. However, it is respectfully submitted that there is nothing in the art to show this configuration. More specifically, as the movable member is threadably coupled with the fixing member in independent claim 1, as the movable member is unscrewed from the fixing member, the rotation will cause the stirring to occur with the stirring projection pin. There is no suggestion in the prior art to use a stirring projection pin which is formed on a seal member in combination with a movable member which is threadably coupled to a fixing member. For this additional reason, the rejection against claim 1 should be withdrawn.

Additionally, Applicant notes that the dependent claims can contain numerous configurations which, when read in combination with the independent claim, are not suggested or shown by the art. For example, claim 7 includes a first and second tamper proof formed on a lower end of a hollow main body of the fixing member and on a main body of the movable member,

respectively. The art does not show two such tamper proofs arranged in this manner.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejection claims in further prosecution of this or related applications.

In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Such action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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